



State of Louisiana
DIVISION OF ADMINISTRATION
OFFICE OF HUMAN RESOURCES

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GOVERNOR

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COMMISSIONER OF ADMINISTRATION

DIVISION OF ADMINISTRATION

PERSONNEL POLICY NO. 45

EFFECTIVE DATE: September 25, 2001; Revised September 25, 2003

SUBJECT: Use of Civil Service Rule 6.5(g), Hiring Above the Minimum

AUTHORIZATION: _____
Whitman J. Kling, Jr., Deputy Undersecretary

I. POLICY:

The Division of Administration will consider paying a new classified employee above the minimum rate of the pay grade, not to exceed the third quartile, on a case by case basis when the applicant possesses superior qualifications/credentials/skills above and beyond that normally required for the position, if those qualifications/credentials/skills would be particularly beneficial in the position to be filled. Specific verification of the qualifications/credentials/skills possessed is required and formal documentation must be created and available for audit.

With the approval of the Appointing Authority, salaries of all current probational and permanent employees who occupy positions in affected jobs and possess the same or equivalent qualifications/credentials/skills may be adjusted up to the same rate (or given a corresponding percentage increase) provided that their qualifications/credentials/skills would be particularly beneficial in the position they occupy and with specific verification of the qualifications/credentials/skills possessed and formal documentation is created and available for audit.

Sections are required to provide full documentation to the Office of Human Resources for review prior to any salary commitment being made to an applicant. Based on the documentation received the Office of Human Resources will make a recommendation to the appointing authority for approval or denial of the request. Human Resources will not give any suggestion or approval to a salary amount for an applicant prior to receiving full documentation from the section.

NO OFFER OF EMPLOYMENT ABOVE THE MINIMUM SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE OFFICE OF HUMAN RESOURCES.

II. PHILOSOPHY:

This policy attempts to balance the significant costs associated with use of this rule, the desire for reasonable equity between new employees and existing employees, and the need to be able to attract quality applicants who can effectively perform the duties of the position.

III. AUTHORITY:

Civil Service Rule 6.5(g) allows appointing authorities to employ persons in classified positions above the entrance rate when the applicant possesses superior qualifications/credentials/skills. Civil Service General Circular 1010 dated April 12, 1991, advises conservative use of this Civil Service Rule.

The Department of State Civil Service interprets this rule to apply only to initial hires, with the exception of the stipulation underlined below. Thus the Rule **may not be used in the following situations:**

1. In a highly competitive situation where suitable applicants are available without use of Rule 6.5g, or
2. To fill a lower level position when a higher level position is more appropriate, or
3. To fill an entry level-position (unless unusual circumstances exist), or
4. When formal training is readily available to present employees, or
5. When present employees who possess the same skills could be promoted, or
6. In a lateral move of a permanent, classified employee within a department or from one department to another department, or
7. Upon promotion of a permanent, classified employee within the same department or from one department to another.

IV. RESPONSIBILITY:

The Section Head is Responsible for the Following:

1. Demonstrate that the qualifications/credentials/skills which make the applicant extraordinarily well qualified are directly related to the duties and responsibilities of the position to be filled:
 - a. Obtain an accurate position description (SF-3) for the position to be filled. On that document, those duties/responsibilities for which the applicant is extraordinarily well qualified must be highlighted. If the officially allocated position description is not accurate, an updated position description must be prepared which is current and accurate.
 - b. Obtain a current Civil Service Application (SF-10) for the applicant. On that document, highlight the qualifications/credentials/skills which make the applicant extraordinarily well qualified.
 - c. The duties/responsibilities on the position description for which the applicant is extraordinarily well qualified (discussed in **a**) must be correlated with the qualifications/credentials/skills on the Civil Service Application and possessed by the applicant (discussed in **b**). This correlation should be demonstrated by placing a number in the margin next to the highlighted qualifications/credentials/skills and placing the same number in the margin next to the highlighted duties/responsibilities to which it applies.
2. Verify **each incident** of qualifications/credentials/skills claimed by the applicant on the Civil Service Application which are considered extraordinary and which are being used to justify hiring above the minimum of the pay range.
 - a. Specifically, contact the (current or former) employer under whom each work experience was gained and confirm with the employer that the applicant worked for him/her during the period of time indicated on the application. Further, confirm that the applicant performed the duties or exhibited the skills claimed on the application during the period claimed. Prepare a document which includes:

- ❑ The name and title of the section head verifying the qualifications (or his designated representative), and
- ❑ The name and title of the employer to whom the section head (or his designated representative) spoke to confirm the experience, and
- ❑ The date and time that the conversation took place, and
- ❑ The specific work experience which the employer confirmed that the applicant had obtained.

The documentation must be dated and signed by the section head (or his designated representative) making the confirmation call.

- b. An academic degree should be verified by requesting a copy of the transcript or diploma from the university or school attended.
- c. The section head must obtain a copy of any certificate or letter of award which proves the credentials claimed by the applicant if those credentials will be used to justify a higher beginning salary.

The section head should always obtain the permission of the applicant to check references (see attached "Release for Reference Checking" form).

- 3. The Rule allows the appointing authority to raise all current probational and permanent employees' pay rates to the same rate (or provide a corresponding percentage increase) if they occupy positions in the affected job titles and possess the same or equivalent experience, education, and/or credentials.
 - a. The section head must review the background of current employees in the same job title to determine if any possess the same or equivalent qualifications/credentials/skills. A statement must be included in the documentation submitted to the appointing authority which indicated **whether or not other such employees were found.**
 - b. **If other employees are found to have the same job title and also possess equivalent qualifications/credentials/skills**, and are thus also eligible for an increase in pay under 6.5(g), then the section head must recommend to the appointing authority **increasing or not increasing** the pay. If the recommendation is to increase the pay, all efforts must be made as required to hire above the minimum. This includes

documentation to record the relevance of the qualifications/credentials/skills to the job duties, verification of attainment of qualifications/credentials/skills, and production of any relevant diplomas. Should the section head find employees in the same job title with equivalent qualifications/credentials/skills, but wish not to provide any eligible increase to those employees, the section head must provide written explanation for the recommendation. The recommendation should include information regarding prior performance appraisals, performance deficits, behavioral problems, budgetary reasons etc., and be signed by the section head.

4. The Rule demands that any pay rate under 6.5(g) be implemented in accordance with written policies and procedures established by the department and that such policies must be posted in a manner, which assures availability to all employees.
 - a. The section head must assure that this policy is posted in one or more locations to assure that it is accessible to all employees. The section head must assure that the posting remains in place permanently or is replaced if necessary.
5. The section head must submit a copy of the documentation required in #1, #2, and #3 above, along with his/her recommendation, to the Office of Human Resources for recommendation to the appointing authority. The section head must maintain, in-house, a copy of the same documentation available for audit by any regulatory agency.

V. QUESTIONS:

Questions regarding this policy should be directed to the Office of Human Resources.

VI. EXCEPTIONS:

Requests for exceptions to this policy should be submitted to the appointing authority with specific and compelling justification.

RELEASE FOR REFERENCE CHECKING

“We want you to know that reference checking is an important part of our hiring process. In addition to contacting the persons you furnished us as references on your Civil Service Application or resume, we may also contact other business associates, acquaintances and friends. We ask all references a series of questions about work experience, character, personal habits, educational background and personality. In some cases we ask an outside firm to check references.”

“I voluntarily consent to allow the Division of Administration or any of its officers, employees or agents to check my references by contacting any person whom they deem to be an appropriate reference. I understand that these questions may be about my personal or educational background, work experience, character and personality.”

Signature

Date